

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

BLUESTONE INNOVATIONS TEXAS,  
L.L.C.,

Plaintiff.

v.

FORMOSA EPITAXY INC., ET AL.,  
Defendants.

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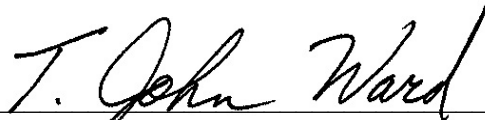
CIVIL ACTION NO. 2:10-cv-171-TJW-CE

**ORDER**

The above-titled and numbered civil action was referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge (Dkt. No. 121) has been presented for consideration. The report recommends that the court deny Defendants' motion to dismiss for failure to state a claim upon which relief can be granted. The report further recommends that the court deny Defendants' request for a more definite statement. Defendants did not file objections to the report.

The court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the court adopts the report of the United States Magistrate Judge, in its entirety, as the conclusions of this court. Accordingly, it is ORDERED that Defendants' motion to dismiss or, in the alternative, for a more definite statement (Dkt. No. 52) is DENIED.

SIGNED this 30th day of September, 2011.



T. JOHN WARD

UNITED STATES DISTRICT JUDGE